

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

SHANON MURILLO and JUAN
MENDOZA,

Plaintiffs,

v.

Case No: 2:19-cv-674-SPC-MRM

CAPE CORAL ROOFING AND
SHEET METAL, INC. and
ALEXANDER GOMEZ,

Defendants.

_____ /

OPINION AND ORDER¹

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 29](#)). Judge McCoy recommends the undersigned enter an Order directing the Clerk of Court to enter clerk's defaults against Defendants Cape Coral Roofing and Sheet Metal, Inc. and Alexander Gomez. He does so because Defendants have demonstrated a "flagrant, willful, and bad-faith disregard for the Court's Orders," and no less drastic sanction would be effective in achieving compliance. ([Doc. 29 at 6](#)).

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

A district judge “may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). The judge “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* And “[t]he judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.*

After examining the file independently and upon considering Judge McCoy’s findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now **ORDERED**:

United States Magistrate Judge Mac R. McCoy’s Report and Recommendation (Doc. 29) is **ACCEPTED and ADOPTED** and the findings are incorporated herein.

(1) The Clerk is **DIRECTED** to enter clerk’s defaults against Defendants Cape Coral Roofing and Sheet Metal, Inc. and Alexander Gomez.

(2) Plaintiffs must move for a default judgment on or before **July 7, 2021**.

DONE and ORDERED in Fort Myers, Florida this June 22, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record